United Nations A/C.5/71/L.8

General Assembly

Distr.: Limited
19 December 2016

Original: English

Seventy-first session
Fifth Committee
Agenda item 147
Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Draft resolution submitted by the Chair of the Committee following informal consultations

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the first performance report of the Secretary-General on the budget of the International Tribunal for the Prosecution of the Persons Responsible for Serious Violations of International Law Committed in the Territory of the Former Yugoslavia since 1991 for the biennium 2016-2017,[1] the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] the financial report and audited financial statements for the year ended 31 December 2015 and the report of the Board of Auditors on the International Tribunal for the Former Yugoslavia[3] and the recommendations contained therein,

Recalling its resolution 47/235 of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which was resolution 70/242 of 23 December 2015,

1. *Takes note* of the first performance report of the Secretary-General on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2016-2017;[1]

[1] A/71/578.
[2] A/71/671.
[3] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 5N* (A/71/5/Add.14).

Please recycle

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[2]

3. *Requests* the Secretary-General to ensure that proper management, internal control and accountability are in place in the Tribunal in order to prevent any erroneous payments;

4. *Emphasizes* the importance of the continued efforts of the Secretary-General to implement the completion strategy for the Tribunal in an efficient and timely manner;

5. *Requests* the Secretary-General to complete the work of the Tribunal within the approved timeline and resources, with due regard to the lessons learned from the liquidation of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, and to report thereon at the main part of its seventy-second session;

6. *Decides* that any residual liquidation activities that remain after the completion of the substantive work of the Tribunal shall be undertaken by the International Residual Mechanism for Criminal Tribunals;

7. *Also decides* on a revised appropriation to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 of a total amount of 98,064,000 United States dollars gross (86,917,900 dollars net) for the biennium 2016-2017, as detailed in the annex to the present resolution;

8. *Further decides*, for the year 2017, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year, the amount of 25,050,225 dollars gross (22,157,800 dollars net), including 1,158,450 dollars gross (946,650 dollars net), being the increase in assessments;

9. *Decides*, for the year 2017, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for the year, the amount of 25,050,225 dollars gross (22,157,800 dollars net), including 1,158,450 dollars gross (946,650 dollars net), being the increase in assessments;

10. *Also decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 8 and 9 above, their respective share in the Tax Equalization Fund in the amount of 5,784,850 dollars, including 423,600 dollars, being the increase of the estimated staff assessment income approved for the Tribunal for the biennium 2016-2017.

Annex

Financing for the biennium 2016-2017 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

	Gross	*Net*
	(United States dollars)	
Initial appropriation for the biennium 2016-2017 (resolution 70/242)	95 747 100	85 024 600
First performance report for the biennium 2016-2017 (A/71/578)	2 316 900	1 893 300
Recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/71/671)	–	–
Recommendations of the Fifth Committee	–	–
Revised appropriation for the biennium 2016-2017	**98 064 000**	**86 917 900**
Less: Estimated income for the biennium 2016-2017	(180 000)	(180 000)
Amount to be assessed for the biennium 2016-2017 (net of estimated income)	**97 884 000**	**86 737 900**
Assessment for 2016	47 783 550	42 422 300
Balance to be assessed for 2017	**50 100 450**	**44 315 600**
Including:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2017	25 050 225	22 157 800
Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2017	25 050 225	22 157 800

United Nations A/C.5/71/L.9

General Assembly

Distr.: Limited
19 December 2016

Original: English

Seventy-first session
Fifth Committee
Agenda item 148
Financing of the International Residual Mechanism for Criminal Tribunals

Draft resolution submitted by the Chair of the Committee following informal consultations

Financing of the International Residual Mechanism for Criminal Tribunals

The General Assembly,

Having considered the first performance report of the Secretary-General on the budget of the International Residual Mechanism for Criminal Tribunals for the biennium 2016-2017,[1] the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] the financial report and audited financial statements for the year ended 31 December 2015 and the report of the Board of Auditors on the Mechanism[3] and the recommendations contained therein,

Recalling its resolution 66/240 A of 24 December 2011 on the financing of the International Residual Mechanism for Criminal Tribunals and its subsequent resolutions thereon, the latest of which was resolution 70/243 of 23 December 2015,

1. *Takes note* of the first performance report of the Secretary-General on the budget of the International Residual Mechanism for Criminal Tribunals for the biennium 2016-2017;

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[2]

3. *Decides* that any residual liquidation activities that remain after the completion of the substantive work of the International Tribunal for the Prosecution of the Persons Responsible for Serious Violations of International Law Committed

[1] A/71/579.
[2] A/71/671.
[3] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 5O* (A/71/5/Add.15).

Please recycle

in the Territory of the Former Yugoslavia since 1991 shall be undertaken by the Mechanism;

4. *Notes* the transfer of an overexpenditure in the amount of 3,700,000 United States dollars from the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 to the Mechanism, and requests the Secretary-General to report on the treatment of the amount of the overexpenditure in the context of his second performance report for the biennium 2016-2017 on the budget of the Mechanism;

5. *Decides* on a revised appropriation to the Special Account for the International Residual Mechanism for Criminal Tribunals of a total amount of 135,747,700 dollars gross (125,153,500 dollars net) for the biennium 2016-2017, as detailed in the annex to the present resolution;

6. *Also decides*, for the year 2017, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year, the amount of 33,522,800 dollars gross (30,840,425 dollars net), including 828,250 dollars gross (895,900 dollars net), being the decrease in assessments;

7. *Further decides*, for the year 2017, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for the year, the amount of 33,522,800 dollars gross (30,840,425 dollars net), including 828,250 dollars gross (895,900 dollars net), being the decrease in assessments;

8. *Decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 7 and 8 above, their respective share in the Tax Equalization Fund in the amount of 5,364,750 dollars, including 135,300 dollars, being the increase of the estimated staff assessment income approved for the Mechanism for the biennium 2016-2017.

Annex

Financing for the biennium 2016-2017 of the International Residual Mechanism for Criminal Tribunals

	Gross	*Net*
	(United States dollars)	
Initial appropriation for the biennium 2016-2017 (resolution 70/243)	137 404 200	126 945 300
First performance report for the biennium 2016-2017 (A/71/579)	(1 656 500)	(1 791 800)
Recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/71/671)	–	–
Recommendations of the Fifth Committee	–	–
Revised appropriation for the biennium 2016-2017	**135 747 700**	**125 153 500**
Less: Assessment for 2016	68 702 100	63 472 650
Balance to be assessed for 2017	**67 045 600**	**61 680 850**
Including:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2017	33 522 800	30 840 425
Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2017	33 522 800	30 840 425

United Nations A/C.5/71/L.10

General Assembly

Distr.: Limited
19 December 2016

Original: English

Seventy-first session

Fifth Committee

Agenda item 146

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Draft resolution submitted by the Chair of the Committee following informal consultations

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Having considered the final performance report of the Secretary-General on the budget and the liquidation of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 for the biennium 2016-2017,[1] the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] the financial report and audited financial statements for the year ended 31 December 2015 and the report of the Board of Auditors on the

[1] A/71/577.
[2] A/71/671.

16-22421 (E) 201216

Please recycle

International Criminal Tribunal for Rwanda[1] and the recommendations contained therein,

Recalling its resolution 49/251 of 20 July 1995 on the financing of the International Criminal Tribunal for Rwanda and its subsequent resolutions thereon, the latest of which was resolution 70/241 of 23 December 2015,

1. *Takes note* of the final performance report of the Secretary-General on the budget and the liquidation of the International Criminal Tribunal for Rwanda for the biennium 2016-2017;[1]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[2]

3. *Requests* the Secretary-General to ensure that Headquarters provides guidance, oversight and support to future liquidation processes, including accurate budget estimates and feasible time frames;

4. *Also requests* the Secretary-General to entrust the Office of Internal Oversight Services with the conduct of final oversight of the Tribunal, covering, inter alia, the effectiveness of the liquidation exercise, and to include information on key findings in the context of the next annual report on its activities;

5. *Encourages* the Secretary-General to pursue the recovery of overpayments, where appropriate and economically feasible, and to report thereon in the context of his second performance report on the budget of the International Residual Mechanism for Criminal Tribunals;

6. *Requests* the Secretary-General to ensure that lessons learned from the liquidation of the Tribunal are incorporated, as appropriate, into future liquidations of tribunals and other United Nations Secretariat entities, as well as into relevant United Nations policies and procedures;

7. *Approves* the final appropriation for the Tribunal for the biennium 2016-2017 in the amount of 2,086,100 United States dollars gross (1,978,800 dollars net), as initially appropriated by the General Assembly in its resolution 70/241;

8. *Also approves* the transfer and charge of 3,726,700 dollars gross (3,466,000 dollars net) as part of the estimated final expenditure, and further expenditures, if any, in excess of the approved appropriation for that purpose, under the 2016-2017 budget for the Mechanism, to be reported in the context of the second performance report on the budget of the Mechanism.

---

[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 5M* (A/71/5/Add.13).

United Nations A/C.5/71/L.11

General Assembly

Distr.: Limited
22 December 2016

Original: English

Seventy-first session
Fifth Committee
Agenda item 139
Human resources management

Draft resolution submitted by the Chair of the Committee following informal consultations

Human resources management

The General Assembly,

Recalling Articles 8, 97, 100 and 101 of the Charter of the United Nations,

Recalling also its resolutions 42/220 A of 21 December 1987, 49/222 A and B of 23 December 1994 and 20 July 1995, 51/226 of 3 April 1997, 52/219 of 22 December 1997, 52/252 of 8 September 1998, 53/221 of 7 April 1999, 55/258 of 14 June 2001, 57/305 of 15 April 2003, 58/285 of 8 April 2004, 58/296 of 18 June 2004, 59/266 of 23 December 2004, 59/287 of 13 April 2005, 60/1 of 16 September 2005, 60/238 of 23 December 2005, 60/254 of 8 May 2006, 60/260 of 8 May 2006, 61/244 of 22 December 2006, 61/276, section VIII, of 29 June 2007, 62/238, section XXI, of 22 December 2007, 62/248 of 3 April 2008, 63/250 of 24 December 2008, 63/271 of 7 April 2009, 65/247 of 24 December 2010, 66/234 of 24 December 2011, 67/255 of 12 April 2013, 68/252 of 27 December 2013, 68/265 of 9 April 2014, 70/244 of 23 December 2015 and 70/286 of 17 June 2016, its decision 70/553 B of 1 April 2016 and its other relevant resolutions and decisions,

Having considered the relevant reports of the Secretary-General on human resources management submitted to the General Assembly[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Having also considered the reports of the Joint Inspection Unit on succession planning in the United Nations system organizations[3] and on the use of non-staff personnel and related contractual modalities in the United Nations system

[1] A/71/186, A/71/257, A/71/258, A/71/323, A/71/323/Add.1, A/71/323/Add.2, A/71/360, A/71/360/Add.1 and A/71/334.
[2] A/71/557.
[3] See A/71/393.

Please recycle

organizations,[4] as well as the comments of the Secretary-General and of the United Nations System Chief Executives Board for Coordination thereon,[5]

1. *Reaffirms* that the staff of the United Nations is an invaluable asset of the Organization, and commends its contribution to furthering the purposes and principles of the United Nations;

2. *Pays tribute* to the memory of all staff members who have lost their lives in the service of the Organization;

3. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution;

I
Human resources management reform

4. *Emphasizes* the fundamental importance of human resources management reform in the United Nations as a contribution to the enhancement of the efficiency and effectiveness of the United Nations and of the international civil service, and reaffirms its commitment to the implementation of this reform;

5. *Requests* the Secretary-General to continue to modernize, streamline and integrate the Organization's human resources management structures and functions, taking into account expected benefits, efficiencies and lessons learned from the implementation of previous reform, and to present detailed proposals for the consideration of the General Assembly at its seventy-third session;

6. *Underlines* the need for a comprehensive and robust workforce-planning system as a key component of human resources management, acknowledges the progress made, and requests the Secretary-General to intensify his efforts to develop a comprehensive and effective workforce- and succession-planning proposal and to report thereon at the seventy-third session;

7. *Requests* the Secretary-General, in the context of the ongoing human resources management reforms and business transformation projects, to continue to ensure the equal treatment of candidates with equivalent educational backgrounds during the recruitment process, taking fully into account the fact that Member States have different education systems and that no education system shall be considered the standard to be applied by the Organization;

8. *Reiterates* that the Secretary-General has to ensure that the highest standards of efficiency, competence and integrity serve as the paramount consideration in the employment of staff, with due regard to the principle of equitable geographical distribution, in accordance with Article 101, paragraph 3, of the Charter of the United Nations;

9. *Reaffirms* the provisions of regulation 4.2 of the Staff Rules and Staff Regulations of the United Nations, and decides to retain the criterion of geographical status in the staff selection system as one of the key elements to ensure geographical balance at each level for posts subject to geographical distribution;

---

[4] See A/70/685.

[5] A/71/393/Add.1 and A/70/685/Add.1.

10. *Also reaffirms* the need to respect the equality of the two working languages of the Secretariat, further reaffirms the use of additional working languages in specific duty stations as mandated, and in this regard requests the Secretary-General to ensure that vacancy announcements specify the need for either of the working languages of the Secretariat, unless the functions of the post require a specific working language;

11. *Acknowledges* that the interaction of the United Nations with the local population in the field is essential and that language skills constitute an important element of the selection and training processes, and therefore affirms that a good command of the official language or languages spoken in the country of residence should be taken into account as an additional asset during those processes;

12. *Notes with serious concern* that the 120-day target for filling a post has not been reached, and requests the Secretary-General to investigate the reasons for delays at each stage of the staff selection and recruitment processes, including the stages of candidate recommendation and central review body endorsement, and requests the Secretary-General to include in his next overview report, to be submitted to the General Assembly at its seventy-third session, a comprehensive strategy aimed at achieving the 120-day target for recruitment set by the Assembly;

13. *Takes note* of paragraphs 36 and 84 of the report of the Advisory Committee, decides to reduce the standard posting period for position-specific job openings from 60 days to 45 days for jobs in the Professional and higher categories, on a provisional basis as a pilot phase, decides to keep this measure under review, and requests the Secretary-General to report on its full impact in his next overview report;

14. *Emphasizes* the important role of the young professionals programme in improving the geographical representation of unrepresented and underrepresented Member States and in ensuring the continued rejuvenation of the Secretariat;

15. *Requests* the Secretary-General to review his proposal to replace the existing general exam paper with a general test of cognitive and social abilities and to present a detailed analysis thereon in his next overview report;

16. *Takes note* of paragraph 41 of the report of the Advisory Committee, and endorses the proposal of the Secretary-General[b] to extend to three years the period of time during which successful candidates may remain on the roster for the young professionals programme;

17. *Reiterates its request* to the Secretary-General that he continue his ongoing effort to ensure the attainment of equitable geographical distribution in the Secretariat and to ensure as wide a geographical distribution of staff as possible in all departments and offices and at all levels, including at the Director and higher levels, of the Secretariat, and requests him to report thereon in his next overview report;

18. *Recalls* paragraph 65 of its resolution 65/247 and paragraph 17 of its resolution 66/265 of 21 June 2012, in which it requested the Secretary-General to intensify his efforts to ensure the proper representation of troop-contributing

[b] A/71/323, para. 52 (d).

countries in the Department of Peacekeeping Operations and the Department of Field Support of the Secretariat, taking into account their contribution to United Nations peacekeeping, and requests the Secretary-General to report thereon in his proposed budget for the support account for peacekeeping operations for the period from 1 July 2017 to 30 June 2018;

19. *Expresses serious concern* about the slow pace of progress towards the goal of 50/50 gender balance in the United Nations system, especially in senior, policymaking and field positions, in conformity with Article 101, paragraph 3, of the Charter of the United Nations;

20. *Welcomes* the intention of the Secretary-General to implement a comprehensive strategy to intensify efforts to ensure greater representation of women in the Secretariat, particularly in senior leadership positions, including through active recruitment and retention policies, and requests the Secretary-General to provide an update in his next overview report on progress towards the goal of gender balance, including on the adequate representation of women from developing countries, as a matter of priority, and on how managers have been held to account for contributing to gender targets;

21. *Reiterates* that the overarching objectives of a performance management system are to measure performance and reward good performance and to address underperformance in a credible and effective manner and that it should be easily understood by staff and management, and requests the Secretary-General to further intensify his efforts to ensure that a more refined performance management framework is implemented throughout the Organization, particularly at the managerial and leadership levels, supported by adequate training and guidance;

22. *Notes* that the current ratings distribution is not an accurate reflection of performance in the Organization, and requests the Secretary-General to analyse and report on the effectiveness of system enhancements, patterns and trends in completion rates, ratings distribution and participation in performance management training in his next overview report;

23. *Also notes* the establishment of a learning and career support strategy to support staff through learning and development opportunities, in particular in respect of enhancing management and leadership skills within the Organization;

24. *Recalls* paragraph 56 of its resolution 70/244, and encourages the Secretary-General to make further efforts to ensure work-life balance and provide career development opportunities, which are important elements in motivating and retaining staff;

25. *Also recalls* paragraph 68 of the report of the Advisory Committee, and requests the Secretary-General to undertake a more extensive analysis of potential costs and benefits and to report thereon in his next overview report;

II
Mobility

26. *Takes note* of the progress achieved in the implementation of the first managed mobility exercise for Political, Peace and Humanitarian Network (POLNET) staff members, the result thereof and the preliminary nature of the

findings and lessons learned, as reported by the Secretary-General,[7] and looks forward to the continued implementation of the system as adopted in its resolution 68/265;

27. *Requests* the Secretary-General to conduct further analysis and to report thereon to the General Assembly at its seventy-second session in order to realize the full benefits of mobility, such as reduced recruitment time, a dynamic workforce and ensuring the fair sharing of the burden of service in hardship duty stations;

28. *Urges* the Secretary-General to ensure necessary cooperation among related departments and offices in the implementation of the new staff selection and managed mobility system, and requests him to report thereon in his next progress report;

29. *Requests* the Secretary-General to provide detailed information on his proposal to include vacant positions at B, C, D and E duty stations in the managed mobility system in his next progress report;

30. *Reaffirms its request* to the Secretary-General that he ensure the fair treatment of all staff members in the context of the reassignment pool related to the managed mobility framework;

31. *Requests* the Secretary-General to ensure the consistent and transparent application of the criteria for possible deferments of or exemptions from mobility requirements;

III
Assessment of desirable ranges

32. *Notes with concern* that the Secretary-General has failed to present a proposal for a comprehensive review of the system of desirable ranges, and in this regard requests him to present to the General Assembly, no later than at its seventy-third session, proposals for a comprehensive review of the system of desirable ranges, including by retaining or widening the current base number of Professional posts, with a view to establishing a more effective tool for ensuring equitable geographical distribution within the Secretariat in relation to all posts financed through the regular budget;

IV
Composition of the Secretariat

33. *Notes with concern* the upward shift in the grade structure of the Secretariat and the relatively low number of junior-level posts, and requests the Secretary-General to take concrete measures to reverse this trend, including a review of all existing positions at the levels of Director, Under-Secretary-General and Assistant Secretary-General, with a view to identifying any overlapping functions and responsibilities and reducing the overall number of posts at these levels, and to report thereon in the his next budget submission;

34. *Reiterates its concern* over the increase in the use of consultants, especially in the core activities of the Organization, stresses that the use of

[7] A/71/323/Add.1.

consultants should be governed by the relevant resolutions of the General Assembly, in particular section VIII of its resolution 53/221, and that they should be drawn from the widest possible geographical basis, and requests the Secretary-General to make the greatest possible use of in-house capacity and to report to the Assembly at its seventy-third session on the measures taken to that effect;

35. *Welcomes* the United Nations internship programme, and requests the Secretary-General to ensure that it contributes to the achievement of United Nations objectives and the learning experience of the participants;

V
Practice of the Secretary-General in disciplinary matters and possible criminal behaviour

36. *Recognizes* the importance of high standards of investigative practices within the Organization, and in this regard requests the Secretary-General to continue to improve investigative procedures and to report thereon in his next report;

37. *Requests* the Secretary-General to finalize and issue an administrative instruction on disciplinary matters, as a matter of priority, without further delay and no later than 31 December 2016, and to report thereon to the General Assembly at its seventy-third session;

VI
Amendments to the Staff Regulations and Rules

38. *Approves* the proposed amendments to the Staff Regulations and notes the amendments to the Staff Rules set out in the report of the Secretary-General,[8] subject to the provisions of the present resolution;

39. *Takes note* of paragraph 129 of the report of the Advisory Committee with regard to broadening the scope of staff rule 9.9 (b) to cover other types of serious misconduct;

40. *Requests* the Secretary-General to provide information on the impact of the amendment to staff rule 10.4 on investigative activities in the context of his next report;

41. *Decides* that new staff rule 3.20 proposed to implement the new recruitment incentive approved in paragraph 53 of its resolution 70/244 shall read as follows:

> An incentive payment for the recruitment of experts in highly specialized fields in instances in which the Organization was unable to attract suitably qualified personnel may be made under conditions to be prescribed by the Secretary-General. The amount of the recruitment incentive shall not exceed 25 per cent of the annual net base salary for each year of the agreed appointment;

[8] A/71/258.

VII
Activities of the Ethics Office

42. *Commends* the Ethics Office on its exceptional ongoing efforts to foster a culture of ethics, integrity, transparency and accountability in the Organization, and welcomes the efforts of the Office to increase awareness of ethics-related issues through outreach, training and education;

43. *Requests* the Secretary-General to continue to encourage all eligible senior officials who have not yet publicly disclosed a summary of their assets to do so in future cycles, and also requests the Secretary-General to collect data relating to gifts and honours received by Secretariat officials, to monitor trends thereof and to report thereon in his next report;

44. *Recalls* paragraph 146 of the report of the Advisory Committee, and urges the Secretary-General to finalize and promulgate the revised policy on protection against retaliation by the end of 2016, to ensure the swift and effective implementation thereof and to promote an organizational culture in which staff are not reluctant to speak up and that those who retaliate are held accountable;

45. *Also recalls* paragraph 147 of the report of the Advisory Committee, and requests the Secretary-General to develop in his next report a proposal concerning the independence of the Ethics Office for the consideration of the General Assembly.

United Nations A/C.5/71/L.12

General Assembly

Distr.: Limited
21 December 2016

Original: English

Seventy-first session
Fifth Committee
Agenda item 137
Pattern of conferences

Draft resolution submitted by the Chair of the Committee following informal consultations

Pattern of conferences

The General Assembly,

Recalling its previous resolutions on the pattern of conferences, including resolution 70/9 of 13 November 2015,

Recalling also its previous resolutions on multilingualism, and reaffirming the provisions relating to conference services thereon, in particular resolution 69/324 of 11 September 2015,

Reaffirming its resolution 42/207 C of 11 December 1987, in which it requested the Secretary-General to ensure the equal treatment of the official languages of the United Nations,

Having considered the report of the Committee on Conferences for 2016[1] and the relevant report of the Secretary-General,[2]

Having also considered the report of the Advisory Committee on Administrative and Budgetary Questions,[3]

Reaffirming the role of the Fifth Committee of the General Assembly in administrative and budgetary matters,

Recalling its resolution 14 (I) of 13 February 1946 and the role of the Advisory Committee on Administrative and Budgetary Questions as a subsidiary body of the General Assembly,

[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 32* (A/71/32)
[2] A/71/116
[3] A/71/549

Please recycle

I
Calendar of conferences and meetings

1. *Welcomes* the report of the Committee on Conferences for 2016;[1]

2. *Approves* the draft revised calendar of conferences and meetings of the United Nations for 2017, as submitted by the Committee on Conferences,[4] taking into account the observations of the Committee and subject to the provisions of the present resolution;

3. *Authorizes* the Committee on Conferences to make any adjustments to the revised calendar of conferences and meetings for 2017 that may become necessary as a result of actions and decisions taken by the General Assembly at its seventy-first session;

4. *Notes with satisfaction* that the Secretariat has taken into account the arrangements referred to in General Assembly resolutions 53/208 A of 18 December 1998, 54/248 of 23 December 1999, 55/222 of 23 December 2000, 56/242 of 24 December 2001, 57/283 B of 15 April 2003, 58/250 of 23 December 2003, 59/265 of 23 December 2004, 60/236 A of 23 December 2005, 61/236 of 22 December 2006, 62/225 of 22 December 2007, 63/248 of 24 December 2008, 64/230 of 22 December 2009, 65/245 of 24 December 2010, 66/233 of 24 December 2011, 67/237 of 24 December 2012 and 68/251 of 27 December 2013 concerning Orthodox Good Friday and the official holidays of Eid al Fitr and Eid al Adha, and requests all intergovernmental bodies to observe those decisions when planning their meetings;

5. *Also notes with satisfaction* that the Secretariat has taken into account the arrangements referred to in relevant resolutions of the General Assembly regarding the pattern of conferences, including resolution 69/250 of 29 December 2014 concerning Yom Kippur, the Day of Vesak, Diwali, Gurpurab and Orthodox Christmas, and requests all relevant intergovernmental bodies to continue to observe the applicable decisions when planning their meetings;

6. *Requests* the Secretary-General to ensure that any modification to the calendar of conferences and meetings is implemented strictly in accordance with the mandate of the Committee on Conferences and other relevant resolutions of the General Assembly;

7. *Invites* Member States to include in new legislative mandates adequate information on the modalities for the organization of conferences or meetings;

8. *Recalls* rule 153 of its rules of procedure, and, for resolutions involving expenditure, requests the Secretary-General to include the modalities of conferences, taking into account the trends of similar meetings, with a view to mobilizing conference services and documentation in the most efficient and cost-effective manner possible;

9. *Reaffirms* the need to address the issue of duplications and redundancies in conference servicing, and notes in this regard that the Economic and Social Council decided, in its resolution 2013/13 of 22 July 2013, to consider at a later

[4] See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 32* (A/71/32), annex II.

date the necessity of reviewing its provisional biennial calendar of conferences and meetings in the light of the ongoing intergovernmental consultations on the further strengthening of the Council;

II
Utilization of conference-servicing resources

10. *Reaffirms* the practice that, in the use of conference rooms, priority must be given to meetings of Member States;

11. *Calls upon* the Secretary-General and Member States to adhere to the guidelines and procedures contained in the administrative instruction for the authorization of the use of United Nations premises for meetings, conferences, special events and exhibits;[1]

12. *Emphasizes* that such meetings, conferences, special events and exhibits must be consistent with the purposes and principles of the United Nations;

13. *Notes* that the overall utilization factor for all calendar bodies at the four main duty stations in 2015 was 80 per cent, as it was in 2014, as compared with 78 per cent in 2013, and thus met the established benchmark of 80 per cent;

14. *Requests* the Committee on Conferences to consult those bodies that have consistently utilized less than the applicable benchmark of their allocated resources for the past six years, with a view to making appropriate recommendations in order to achieve the optimum utilization of conference-servicing resources;

15. *Urges* the secretariats and bureaux of bodies that underutilize their conference-servicing resources to work more closely with the Department for General Assembly and Conference Management of the Secretariat and to consider changes to their programmes of work, as appropriate, including adjustments based on previous patterns of recurring agenda items, with a view to making improvements in their utilization factors;

16. *Urges* those intergovernmental bodies whose average utilization factor has for the past six years been below the benchmark of 80 per cent to take that factor into account when planning their future sessions in order to achieve that benchmark;

17. *Reiterates its request* to intergovernmental bodies to review their meeting entitlements and to plan and adjust their programmes of work on the basis of their actual utilization of conference-servicing resources in order to improve their efficient use of conference services;

18. *Recognizes* that late starts and unplanned early endings seriously affect the utilization factor of the bodies owing to the amount of time lost, and invites the secretariats and bureaux of bodies to pay adequate attention to avoiding late starts and unplanned early endings;

[1] ST/AI/416

19. *Welcomes* the steps taken by those bodies that have adjusted their programmes of work in order to achieve the optimum utilization of conference-servicing resources;

20. *Also welcomes* the efforts undertaken by the Secretary-General to increase the utilization rates of conference-servicing resources, and in this regard encourages the Secretary-General to enhance the efficiency of conference servicing and to report thereon to the General Assembly at its seventy-second session;

21. *Requests* the Secretary-General to consult Member States on initiatives that affect the utilization of conference services and conference facilities;

22. *Notes* that for meetings held in New York of bodies entitled to meet "as required", 97 per cent of requests for interpretation were met in 2015, as compared with 97 per cent in 2014 and 98 per cent in 2013, and requests the Secretary-General to continue to impress upon such bodies the need to continue to improve the utilization of the conference services provided and to report on the provision of conference services to those bodies through the Committee on Conferences;

23. *Recognizes* the importance of meetings of regional and other major groupings of Member States for the smooth functioning of the sessions of intergovernmental bodies, requests the Secretary-General to ensure that, as far as possible, all requests for conference services for the meetings of regional and other major groupings of Member States are met, and requests the Secretariat to inform the requesters as early as possible about the availability of conference services, including interpretation, as well as about any changes that might occur before the holding of meetings;

24. *Notes* that the percentage of meetings held by regional and other major groupings of Member States that were provided with interpretation services at the four main duty stations was 83 per cent in 2015, as compared with 85 per cent in 2014 and 93 per cent in 2013, and requests the Secretary-General to continue to employ innovative means to address the difficulties experienced by Member States owing to the lack of conference services for some meetings of regional and other major groupings of Member States and to report thereon to the General Assembly through the Committee on Conferences;

25. *Once again urges* intergovernmental bodies to spare no effort at the planning stage to take into account the meetings of regional and other major groupings of Member States, to make provision for such meetings in their programmes of work and to notify conference services, well in advance, of any cancellations so that unutilized conference-servicing resources may, to the extent possible, be reassigned to meetings of regional and other major groupings of Member States;

26. *Welcomes* the efforts of all users of conference services to inform the Secretariat as early as possible of any cancellation of service requests so as to allow for such services to be smoothly redeployed to other meetings;

27. *Notes with satisfaction* that, in accordance with several resolutions of the General Assembly, including resolution 70/9, paragraph 23, in conformity with the headquarters rule, all meetings of Nairobi-based United Nations bodies were held in

Nairobi in 2015, and requests the Secretary-General to report thereon to the Assembly at its seventy-second session through the Committee on Conferences;

28. *Notes* the ongoing efforts aimed at improving the conference facilities at the Economic Commission for Africa, and in this regard encourages the Secretary-General to ensure that the improvement of the facilities, in particular Africa Hall, is completed in a timely manner;

29. *Recognizes* the improvement in the rate of utilization of the conference centre of the Economic Commission for Africa, and in this regard requests the Secretary-General to continue to explore, including with partners such as the African Union, additional means to increase the utilization of the conference centre and to report thereon, including on the impact of the initiatives of the Commission, to the General Assembly;

30. *Requests* the Secretary-General to continue to encourage the heads of entities of the United Nations system to use as a matter of priority, when applicable, the conference centre of the Economic Commission for Africa to ensure greater utilization of the conference facilities;

31. *Recognizes* the proactive efforts of the Secretary-General to identify ways to enhance efficiency and effectiveness in conference services;

32. *Requests* the Secretary-General to continue his efforts aimed at improving conference servicing at the four main duty stations, including through addressing or eliminating possible duplication, overlap and redundancy, and identifying innovative ideas, potential synergies and other cost-saving measures, without compromising quality or affecting the provision of services, and to report annually on the progress made in this regard;

33. *Re-emphasizes* the need to continue to improve all conference facilities, including the videoconferencing infrastructure, at all four main duty stations and at the regional commissions, and in this regard requests the Secretary-General to report thereon no later than at the seventy-second session of the General Assembly;

34. *Welcomes* the measures taken to ensure access to and use of conference services and conference facilities for persons with disabilities, including the establishment of the Accessibility Centre, and encourages the Secretary-General to continue further efforts in this regard and to report thereon to the General Assembly at its seventy-second session;

35. *Requests* the Secretary-General to continue to address issues related to the accessibility of conference facilities as a matter of priority and to report thereon to the General Assembly at its seventy-second session;

36. *Welcomes* the integrated global management rule as an efficient approach, where feasible, to servicing meetings away from duty stations, in this regard requests the Secretary-General to strengthen his efforts to realize further savings by rigorously applying the integrated global management rule to applicable meetings, without jeopardizing the quality of services, and to report thereon to the Committee on Conferences at its substantive session in 2017, and also requests the Secretary-General to continue to report on the financial savings achieved through the implementation of the integrated global management projects;

III
Leveraging technology and measuring the quality of conference services

37. *Notes with appreciation* the efforts of the Secretary-General in the context of the integrated global management initiative to establish and implement at the four main duty stations common performance indicators and single information technology systems (such as gData, gDoc, gMeets and gText), and requests the Secretary-General to report thereon to the General Assembly at its seventy-second session;

38. *Takes note* of the progress made in the development and implementation of the conference management software gData, gDoc, gMeets and gText, and requests the Secretary-General to include all relevant information on their operation, maintenance and harmonization with existing systems, as appropriate, in the proposed programme budget for the biennium 2018-2019;

39. *Recalls* paragraph 24 of the report of the Secretary-General on the pattern of conferences,[6] and requests the Secretary-General to complete internal reviews concerning accountability mechanisms and the clear delineation of responsibility between the Under-Secretary-General for General Assembly and Conference Management and the Directors-General of the United Nations Offices at Geneva, Nairobi and Vienna for conference management policies, operations and resource utilization, requests the Secretary-General to report thereon to the General Assembly at its seventy-second session, and in this regard recalls section III, paragraph 15, of its resolution 66/233, section III, paragraph 2, of its resolution 67/237, paragraph 38 of its resolution 68/251, paragraph 48 of its resolution 69/250 and paragraph 37 of resolution 70/9;

40. *Notes* the initiatives undertaken in the context of integrated global management aimed at streamlining procedures, achieving economies of scale and improving the quality of conference services, and in this regard stresses the importance of ensuring the equal treatment of conference-servicing staff, as well as the principle of equal grade for equal work at the four main duty stations;

41. *Reiterates* that the satisfaction of Member States is a key performance indicator in conference management and conference services;

42. *Requests* the Secretary-General to continue to ensure that measures taken by the Department to seek the evaluation by Member States of the quality of the conference services provided to them, as a key performance indicator of the Department, provide equal opportunities to Member States to present their evaluations in the six official languages of the United Nations and are in full compliance with relevant resolutions of the General Assembly, and further requests the Secretary-General to report to the Assembly, through the Committee on Conferences, on progress made in this regard;

43. *Also requests* the Secretary-General to continue to explore best practices and techniques in client satisfaction evaluations, to seek a larger rate of response to surveys on quality and to report regularly to the General Assembly on the results achieved;

[6] A/70/122.

44. *Welcomes* the efforts made by the Department to seek the evaluation by Member States of the quality of the conference services provided to them, taking into consideration comments and complaints raised by Member States either in writing or during meetings, and requests the Secretary-General to intensify his exploration of innovative ways to systematically capture and analyse feedback from Member States and Chairs and Secretaries of committees on the quality of conference services and to report thereon to the General Assembly through the Committee on Conferences;

45. *Requests* the Secretary-General to continue to seek evaluation of the quality of the conference services provided by the Secretariat through meetings held at least once a year, but not exceeding twice a year, guaranteeing that Member States are able to present their evaluations and seek information equally in any of the six official languages of the United Nations on any conference-related or language-specific matter;

46. *Acknowledges* that the concept of integrated global management has been fully mainstreamed into all areas of the conference services across the four main conference-servicing duty stations, and requests the Secretary-General to keep the General Assembly and its Committee on Conferences apprised of progress made in ensuring integrated global management and to provide accurate and up-to-date information on new initiatives falling under the purview of the Committee;

IV
Matters related to documentation and publications

47. *Emphasizes* the paramount importance of the equality of the six official languages of the United Nations;

48. *Underlines* that all the initiatives on the evolution of the working methods, including those introduced on a trial basis, shall comply with the principle of parity among the official languages of the Organization, with a view to preserving or enhancing the quality and scope of the services provided by the Secretariat;

49. *Emphasizes* the importance of multilingualism in the activities of the United Nations, and requests the Secretary-General to redouble his efforts to ensure full parity among the six official languages in accordance with General Assembly resolution 69/324 and to report thereon to the Assembly at its seventy-second session;

50. *Recalls* paragraph 69 of its resolution 69/250, welcomes the appointment of the Under-Secretary-General for General Assembly and Conference Management as the Coordinator for Multilingualism, responsible for the overall implementation of multilingualism Secretariat-wide, and emphasizes the need for the Department of Public Information of the Secretariat to continue to inform the public about the importance of this principle;

51. *Emphasizes* that multilingualism, as a core value of the Organization, entails the active involvement and commitment of all stakeholders, including all United Nations duty stations and offices away from Headquarters;

52. *Notes with concern* the recurring late issuance of documents for the Fifth Committee, recalls paragraph 29 of its resolution 70/247 of 23 December 2015, and requests the Secretary-General to take immediate actions for its effective implementation, taking into account the responsibilities of all stakeholders involved, and to report thereon in the context of his next report on the pattern of conferences;

53. *Recalls* paragraph 69 of its resolution 69/250, and requests the Secretary-General to submit to the General Assembly at its seventy-first session detailed terms of reference for the Coordinator for Multilingualism containing, inter alia, key responsibilities, working modalities, tasks, priorities, a programme of work, reporting lines and anticipated support, in full compliance with relevant provisions of Assembly resolutions;

54. *Reaffirms* its decision, in section IV of its resolution 64/230, that all reports adopted by the Working Group on the Universal Periodic Review of the Human Rights Council shall be issued as documents in all official languages of the United Nations in a timely manner before their consideration by the Council, in accordance with General Assembly resolutions 36/117 A of 10 December 1981, 51/211 A to E of 18 December 1996, 52/214 of 22 December 1997, 53/208 A to E of 18 December 1998 and 59/265, and requests the Secretary-General to ensure the support necessary to that effect and to report to the Assembly thereon at its seventy-second session;

55. *Recalls* section III, paragraph 5, of its resolution 55/222, and reiterates with concern its request that the Secretary-General ensure strict respect for the rules concerning the simultaneous distribution of documents in all six official languages as regards both the distribution of printed copies and the posting of parliamentary documentation on the Official Document System and the United Nations website;

56. *Stresses* that matters related to conference management, including documentation, fall within the purview of the Fifth Committee;

57. *Reiterates* the importance of the timely issuance of documents for the Fifth Committee;

58. *Welcomes* the efforts made by the Secretariat, in particular the Department for General Assembly and Conference Management, regarding the timely availability of pre-session documentation for the Fifth Committee in the six official languages of the United Nations, and encourages continued efforts by all stakeholders in this regard;

59. *Takes note* of the work done by the interdepartmental task force on documentation chaired by the Department in positively addressing the problem of issuance of documents for the Fifth Committee;

60. *Welcomes* the continued efforts of the task force to shepherd the submission of documents by the author departments of the Secretariat;

61. *Encourages* the Chairs of the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions to continue to promote cooperation between the two bodies in the sphere of documentation;

62. *Notes* that accurate, timely and consistent information provided by the Secretariat to the Fifth Committee during its informal consultations facilitates the decision-making process in the Committee;

63. *Also notes* that the effects of workload-sharing in the context of global document management remain minimal, and requests the Secretary-General to continue to seek ways to promote workload-sharing among the four main duty stations and to report thereon to the General Assembly at its seventy-second session;

64. *Emphasizes* that the major goals of the Department are to provide high-quality documents in a timely manner in all official languages, in accordance with established regulations, as well as high-quality conference services to Member States at all duty stations, and to achieve those aims as efficiently and cost-effectively as possible, in accordance with the relevant resolutions of the General Assembly;

65. *Also emphasizes* the importance of enhancing accountability within the Secretariat for the timely production and delivery of documents by ensuring that managers are fully informed of their responsibilities;

66. *Requests* the Secretary-General to continue to include in the senior managers' compacts the new standard managerial indicator related to the timely issuance of official documentation to intergovernmental bodies and General Assembly committees and to report thereon in future progress reports on accountability;

67. *Also requests* the Secretary-General to include in the relevant sections of future budget proposals, under executive direction and management, an expected accomplishment of the Secretariat related to the timely submission of documentation needed for meetings of relevant intergovernmental bodies;

68. *Notes with satisfaction* that 99 per cent of the documents submitted on time and within the word limit were processed within four weeks by the Department at Headquarters, and stresses the importance of all the duty stations taking measures to reach their targets in this regard;

69. *Reaffirms* its decision in section III, paragraph 9, of its resolution 59/265 that the issuance of documents in all six official languages on planning, budgetary and administrative matters requiring urgent consideration by the General Assembly shall be accorded priority;

70. *Reiterates its request* that the Secretary-General direct all departments of the Secretariat to include the following elements in their reports:

(a) A summary of the report;

(b) Consolidated conclusions, recommendations and other proposed actions;

(c) Relevant background information;

71. *Reiterates its request* that all documents submitted to legislative organs, including the Committee on Conferences, by the Secretariat and intergovernmental and expert bodies for consideration and action have conclusions and recommendations in bold print;

72. *Notes with concern* that only 72 per cent of the author departments reached the compliance rate of 90 per cent in the timely submission of their reports to the Department, and reiterates its request that the Secretary-General enforce the slotting system more rigorously through a dedicated focus, such as the interdepartmental task force on documentation, and to report thereon to the General Assembly at its seventy-second session;

73. *Urges* author departments to fully adhere to deadlines in meeting the goal of 90 per cent submission compliance, and requests the Secretary-General to ensure that documents submitted late do not adversely affect the issuance of documents submitted on time and in compliance with set guidelines;

74. *Requests* the Secretary-General to continue to report to the General Assembly on concrete measures taken by author departments and the Department for General Assembly and Conference Management to improve the predictability of document delivery and ensure accountability for the meeting of deadlines in order to ensure the timely issuance of documentation;

75. *Reiterates its request* in paragraph 80 of its resolution 70/9 that the Secretary-General provide information on the waiver process for documents that are submitted over the word limit;

76. *Emphasizes* the role of Member States and their intergovernmental bodies in determining the policies on conference management;

77. *Stresses* that proposals to change such policies are to be approved by Member States in their relevant intergovernmental bodies;

78. *Notes* that the Official Document System is the official digital repository of the United Nations, and welcomes its modernization and its accessibility in all six official languages of the United Nations;

79. *Notes with encouragement* the ongoing efforts related to the technological advancement aimed at improving the accessibility of the Official Document System, including the introduction of a portable Official Document System, and encourages the Secretary-General to continue his efforts in this regard;

80. *Requests* the Secretary-General to continue his efforts aimed at improving the deployment of technological tools and facilities in conference servicing with a view to facilitating the decision-making process by intergovernmental bodies;

81. *Also requests* the Secretary-General to continue his efforts to upload all important older United Nations documents onto the United Nations website in all six official languages on a priority basis so that these archives will also be available to Member States and the general public;

82. *Further requests* the Secretary-General to take all measures necessary to ensure that the digitization of key documents in the Dag Hammarskjöld Library and in the main duty stations is completed in a timely manner, as appropriate;

83. *Recalls* paragraph 86 of its resolution 70/9, and in this regard requests the Secretary-General to entrust the Department of Public Information to present a proposal for the digitization of important older United Nations documents at all four main duty stations for consideration by the General Assembly through the

Committee on Information no later than at the main part of its seventy-second session, outlining, inter alia, the definition of important older United Nations documents, as well as the scope and estimated quantity, cost and time frame;

84. *Expresses concern* that the anticipated lengthy digitization project may jeopardize the retention of historical knowledge and information in view of the delicate state and risk of breakage of many of the related documents;

85. *Requests* the Secretary-General to seek additional voluntary contributions for the digitization of important older United Nations documents, including by broadening the donor base, and to report thereon in the context of the report requested in paragraph 82 above;

86. *Recalls* paragraph 104 of its resolution 69/250, notes the increased use of digital recordings by other intergovernmental bodies, including the United Nations Commission on International Trade Law and the United Nations Industrial Development Organization, and requests the Secretary-General to continue to report to the General Assembly in this regard;

87. *Stresses* that verbatim and summary records remain the only official records of the meetings of United Nations bodies;

88. *Reiterates* paragraph 105 of its resolution 69/250;

89. *Recalls* paragraph 5 of its resolution 49/221 B of 23 December 1994, and stresses that the timely issuance of verbatim records constitutes an important part of the services provided to Member States;

V
Matters related to language services

90. *Requests* the Secretary-General to redouble his efforts to ensure the highest quality of interpretation and translation services in all six official languages;

91. *Underlines* that the translation of official documents of the Organization must be provided in all required languages and in due time, in full compliance with the rules of procedure of the respective legislative bodies;

92. *Requests* the Secretary-General to continue to ensure that the terminology used in the translation and interpretation services reflects the latest linguistic norms and terminology of the official languages in order to ensure the highest quality;

93. *Notes* that the pool of language professionals at duty stations is uneven in terms of language combinations, and requests the Secretary-General to continue his efforts to develop recruitment, subcontracting and outreach policies that take full account of these imbalances and to report thereon to the General Assembly at its seventy-second session;

94. *Requests* the Secretary-General to ensure that all language services are given equal treatment and are provided with equally favourable working conditions and resources, with a view to achieving the maximum quality of services, with full respect for the specificities of the six official languages and taking into account their respective workloads;

95. *Also requests* the Secretary-General to take measures to ensure equal treatment of all six official languages and equal quality of service for Member States, while fully respecting the specificities of each official language and different levels of benefit from information technology advances for different languages, including by addressing workload inequities arising from staffing structures and specificities of language, and to report thereon to the General Assembly at its seventy-second session;

96. *Reiterates* the need for the Secretary-General to ensure the compatibility of technologies used in all duty stations and to ensure that they are user-friendly in all official languages;

97. *Notes* the development of an experimental statistical machine translation system (Tapta4UN) to accelerate translation services for some categories of documents, and requests the Secretary-General to report on updates, including cost-benefit analysis and quality preservation and control, about this system to the General Assembly at its seventy-second session, through the Committee on Conferences;

98. *Recalls* section VII of its resolution 69/274 A of 2 April 2015, and requests the Secretary-General to ensure that the implementation of flexible workplace strategies takes into account the needs of language staff in order to continue to ensure that the services provided to Member States meet the highest standard of quality;

99. *Requests* the Secretary-General to continue to maintain and update the global terminology portal in order to ensure its availability to United Nations staff, Member States and the general public with a view to achieving harmonization of the terminology used at all United Nations duty stations;

100. *Also requests* the Secretary-General, as the Chair of the United Nations System Chief Executives Board for Coordination, to continue to invite the heads of participating funds, programmes and specialized agencies of the United Nations system to consider using official United Nations terminology and to report thereon to the General Assembly at its seventy-second session;

101. *Reaffirms* paragraph 98 of its resolution 70/9, and reiterates its request that the Secretary-General, when recruiting temporary assistance in the language services, including through the use of international or local contracts, as appropriate, ensure that all language services are given equal treatment and are provided with equally favourable working conditions and resources, with a view to achieving maximum quality of their services, with full respect for the specificities of each of the six official languages and taking into account their respective workloads;

102. *Requests* the Secretary-General to continue his efforts aimed at decreasing the vacancy rates for language professionals at the United Nations Office at Nairobi and to report thereon to the General Assembly at its seventy-second session;

103. *Also requests* the Secretary-General to fill vacancies in the language services, in particular in the translation services, in a timely manner and in full compliance with relevant provisions of the General Assembly resolutions governing

recruitment for language staff, and to report thereon to the Assembly at its seventy-second session;

104. *Further requests* the Secretary-General to continue his efforts to hold competitive examinations for the recruitment of language staff sufficiently in advance in order to fill current and future vacancies in the language services in a timely manner and to inform the General Assembly at its future sessions of efforts in this regard;

105. *Requests* the Secretary-General to continue to make every effort to enhance access to competitive examinations for applicants in all regions by bringing, to the extent possible, examination sites closer to their locations in order to allow the greatest number of potentially qualified candidates to participate in them, and to report to the General Assembly at its future sessions on progress made in this regard;

106. *Also requests* the Secretary-General to continue to improve the quality of translation of documents into the six official languages, giving particular significance to the accuracy of translation;

107. *Reiterates* paragraph 8 of the annex to its resolution 2 (I) of 1 February 1946 on the rules of procedure concerning languages, whereby all resolutions and other important documents shall be made available in the official languages and, upon the request of any representative, any other document shall be made available in any or all of the official languages;

108. *Stresses* the need to ensure the highest possible quality of contractual and in-house translation, and requests the Secretary-General to report on measures to be taken in this regard;

109. *Reiterates its request* that the Secretary-General provide, at all duty stations, adequate staff at the appropriate level, with a view to ensuring appropriate quality control for external translation, with due consideration of the principle of equal grade for equal work;

110. *Requests* the Secretary-General to apply common standards for the quality control of documents processed by external translators in all four duty stations in order to ensure high-quality translations in the six official languages of the United Nations, and to report thereon to the General Assembly at its future sessions;

111. *Also requests* the Secretary-General to ensure that the experience, lessons learned and best practices of the main duty stations in performing quality control of contractual and in-house translations, including on requirements relating to the number and appropriate level of staff needed to carry out this function, are shared among duty stations and regional commissions, as appropriate;

112. *Notes* that the Secretary-General has established globally standardized performance indicators and costing models aimed at a more cost-effective strategy for the in-house processing of documents;

113. *Notes with appreciation* the measures taken by the Secretary-General, in accordance with its resolutions, to address, among other things, the issue of the replacement of retiring staff in the language services, and requests the Secretary-

General to maintain and intensify those efforts, including the strengthening of cooperation with institutions that train language specialists, in order to meet the needs in the six official languages of the United Nations;

114. *Notes* the need for energetic measures to avoid a disruptive shortage of applicants and a high turnover rate in the language career fields, particularly where rare language combinations are involved, and requests the Secretary-General to use appropriate means to improve the internship programme, including through partnerships with organizations that promote the official languages of the United Nations;

115. *Welcomes* the existing memorandums of understanding between the Organization and 23 universities as a way to strengthen the training of language professionals in order to improve the recruitment of qualified language staff, and requests the Secretary-General to continue his efforts to assess the appropriate number of memorandums of understanding in order to fulfil the needs of the Organization;

116. *Requests* the Secretary-General to make further concerted efforts to promote outreach programmes, such as traineeships and internships, and to introduce innovative methods to increase awareness of the programmes, including through partnerships with Member States, relevant international organizations and language institutions in all regions, in particular to close the wide gap of qualified candidates from Africa and from the Latin American and Caribbean region, and to report thereon to the General Assembly at its seventy-second session;

117. *Notes* that the "African project" has the aim of establishing postgraduate university programmes in translation, conference interpreting and public service interpreting through centres of excellence on the African continent, and requests the Secretary-General to continue to report on the achievements of this project;

118. *Also notes* the difficulties in identifying and retaining qualified language professionals and the need to replenish the pool of language experts at the main duty stations, particularly New York and Nairobi, in order to prevent further negative impact on the capacity of the Secretariat to provide services in the six official languages of the United Nations;

119. *Welcomes* the efforts made by the Secretary-General to raise awareness among all Member States and the general public of career opportunities in conference services, including through the increased use of social media;

120. *Notes* the update provided by the Secretary-General on the pilot project related to the outposting to Vienna of translators from the French Translation Service in New York, and requests the Secretary-General to provide to the General Assembly at its seventy-second session further updates on this matter, including on the quality of services, a cost-benefit analysis, information on workload-sharing and lessons learned;

121. *Notes with appreciation* the positive experience with language traineeships in training young professionals and in attracting them to the United Nations, while enhancing the pool of qualified language professionals in language combinations that are critical for succession-planning purposes, and encourages the Secretary-General to continue his efforts in this regard;

122. *Requests* the Secretary-General to continue to improve and strengthen his initiatives related to training and replenishing the language capacity of the Organization, including through the outreach programmes, in order to ensure sufficient capacity to address the interpretation and translation requirements of the Organization;

123. *Also requests* the Secretary-General to continue to liaise with permanent missions to identify outreach opportunities with universities, educational institutions and language learning centres located worldwide in order to ensure the continued availability of high-quality professional language services in the six official languages of the United Nations;

124. *Further requests* the Secretary-General to continue to improve and expand the list of universities having memorandums of understanding with the United Nations, ensuring the inclusion of universities, educational institutions and language learning centres located in all geographical regions, whenever possible;

125. *Requests* the Secretary-General to refrain from making any change of a substantive nature to agreed texts of both draft and adopted resolutions and to report thereon to the General Assembly at its seventy-second session;

126. *Recalls* section IV of its resolution 69/274 A, and requests the Secretary-General to keep the working conditions of interpreters under review.

United Nations A/C.5/71/L.13

General Assembly

Distr.: Limited
22 December 2016

Original: English

Seventy-first session
Fifth Committee
Agenda item 145
Administration of justice at the United Nations

Draft resolution submitted by the Chair of the Committee following informal consultations

Administration of justice at the United Nations

The General Assembly,

Recalling section XI of its resolution 55/258 of 14 June 2001 and its resolutions 57/307 of 15 April 2003, 59/266 of 23 December 2004, 59/283 of 13 April 2005, 61/261 of 4 April 2007, 62/228 of 22 December 2007, 63/253 of 24 December 2008, 64/233 of 22 December 2009, 65/251 of 24 December 2010, 66/237 of 24 December 2011, 67/241 of 24 December 2012, 68/254 of 27 December 2013, 69/203 of 18 December 2014 and 70/112 of 14 December 2015,

Having considered the reports of the Secretary-General on administration of justice at the United Nations[1] and on the activities of the Office of the United Nations Ombudsman and Mediation Services,[2] the note by the Secretary-General transmitting the report of the Interim Independent Assessment Panel on the system of administration of justice at the United Nations,[3] the report of the Secretary-General on the findings and recommendations of the Interim Independent Assessment Panel on the system of administration of justice at the United Nations, and revised estimates relating to the programme budget for the biennium 2016-2017,[4] the report of the Internal Justice Council on administration of justice at the United Nations[5] and the related report of the Advisory Committee on Administrative

[1] A/71/164
[2] A/71/157
[3] A/71/62/Rev.1
[4] A/71/163
[5] A/71/158

16-22767 (E) 291216

Please recycle

and Budgetary Questions,[6] as well as the letters dated 26 October 2016 from the President of the General Assembly to the Chair of the Fifth Committee,[7]

Having also considered the note by the Secretary-General transmitting the report of the Joint Inspection Unit entitled "Review of the organizational ombudsman services across the United Nations system"[8] and the note by the Secretary-General transmitting his comments and those of the United Nations System Chief Executives Board for Coordination thereon,[9]

1. *Takes note* of the reports of the Secretary-General on administration of justice at the United Nations[1] and on the activities of the Office of the United Nations Ombudsman and Mediation Service,[2] the note by the Secretary-General transmitting the report of the Interim Independent Assessment Panel on the system of administration of justice at the United Nations,[3] the report of the Secretary-General on the findings and recommendations of the Interim Independent Assessment Panel on the system of administration of justice at the United Nations, and revised estimates relating to the programme budget for the biennium 2016-2017,[4] the report of the Internal Justice Council on administration of justice at the United Nations[5] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[6]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

I
System of administration of justice

3. *Emphasizes* the importance of the principle of judicial independence in the system of administration of justice;

4. *Stresses* the importance of ensuring access for all staff members to the system of administration of justice, regardless of their duty station;

5. *Acknowledges* the evolving nature of the system of administration of justice and the need to carefully monitor its implementation to ensure that it remains within the parameters set out by the General Assembly;

6. *Notes with appreciation* the achievements of the system of administration of justice since its inception with regard to both the disposal of the backlog and the addressing of new cases, as well as the increased use of informal resolution mechanisms;

7. *Stresses* the importance of continuous consultation among relevant stakeholders in fostering a dialogue-oriented culture across the Organization;

8. *Reaffirms* its decision, contained in paragraph 4 of its resolution 61/261, to establish a new, independent, transparent, professionalized, adequately resourced and decentralized system of administration of justice consistent with the relevant rules of international law and the principles of the rule of law and due process to

[6] A/71/436.
[7] A/C.5/71/10 and A/C.5/71/11.
[8] A/71/117 and Corr.1.
[9] A/71/117/Add.1.

ensure respect for the rights and obligations of staff members and the accountability of managers and staff members alike;

9. *Recalls* its decision that the interim independent assessment of the system of administration of justice should include consideration of the relationship between the formal and informal systems and whether the aims and objectives of the system set out in its resolution 61/261 are being achieved in an efficient and cost-effective manner;

10. *Notes with appreciation* the findings of the Interim Independent Assessment Panel on the system of administration of justice at the United Nations that the system has made a good start and is an improvement over the previous system and that the aims and objectives of the system have been achieved to a very great extent;

11. *Recognizes* that there is still room for further improvement in the system of administration of justice at the United Nations, stresses the importance of the consideration of the recommendations of the Interim Independent Assessment Panel that can contribute to further enhancement of the system, and in this regard requests the Secretary-General to report thereon, as appropriate;

12. *Endorses* recommendations 9, 13, 15, 33, 35 and 36 contained in the report of the Interim Independent Assessment Panel, and requests the Secretary-General to ensure their implementation, within existing resources, and to report thereon in the context of future reports under this agenda item;

13. *Recalls* recommendation 27 contained in the report of the Interim Independent Assessment Panel, notes that the question of further flexibility for extension or suspension of deadlines is currently under review, and looks forward to the outcome of that review;

14. *Notes* that a letter dated 26 October 2016 was sent from the President of the General Assembly to the Chair of the Fifth Committee transmitting a letter dated 30 September 2016 from the President of the Dispute Tribunal to the President of the General Assembly[10] in respect of some of the comments contained in the report of the Secretary-General on the findings and recommendations of the Interim Independent Assessment Panel;

15. *Emphasizes* the necessity and urgency of improving human resources management in preventing disputes and enhancing accountability, reiterates the importance of transparency and fairness in decision-making in preventing conflicts, requests the Secretary-General to take into account the observations and recommendations of the Interim Independent Assessment Panel on the key causes of disputes, and also requests the Secretary-General to continue to undertake all efforts to ensure the proper and consistent application of the Staff Regulations and Rules of the United Nations in order to reduce the need for cases to be brought to both the formal and informal systems;

16. *Requests* the Secretary-General to report on measures taken to strengthen measures for protection against retaliation in his future reports;

[10] A/C.5/71/11.

17. *Notes* the observations of the Internal Justice Council, the Interim Independent Assessment Panel, the Joint Inspection Unit and the Sixth Committee on non-staff personnel, and requests the Secretary-General to prepare a compilation setting out the categories of non-staff personnel and the remedies available to them, in tabular form, and providing figures for the number of disputes brought by non-staff personnel and the types of remedies used since 2009, to the extent available, and considers that, in order to assess how effective remedies are and to inform the discussion on the matter at the seventy-second session of the General Assembly, the following information should be included:

(a) The number of disputes brought before the system of justice and/or any other measures for addressing disputes available for each category of non-staff personnel and an indication of how such disputes were resolved;

(b) The number of disputes brought before national jurisdictions and an indication of how such disputes were resolved;

(c) The practical measures that have been taken so far by the United Nations to ensure a proper implementation of the system and to avoid gaps, as well as any other good practices, including in such matters as translation of documents into local languages, the ability to be heard, access to arbitration, information given to non-staff personnel on available remedies and so on; it is suggested that the Secretariat prepare a questionnaire to that effect;

(d) Information on how the specialized agencies and related bodies of the United Nations system provide remedies to non-staff personnel;

18. *Reiterates its request* to the Secretary-General to include information on disputes involving non-staff personnel in the context of both management evaluation and informal mediation in his future reports, and requests that he provide information on existing measures to institutionalize good management practice that aim to avoid or mitigate disputes involving the different categories of non-staff personnel;

II
Informal system

19. *Recognizes* that the informal system of administration of justice is an efficient and effective option both for staff who seek redress of grievances and for the participation of managers;

20. *Reaffirms* that the informal resolution of conflict is a crucial element of the system of administration of justice, emphasizes that all possible use should be made of the informal system in order to avoid unnecessary litigation, without prejudice to the basic right of staff members to access the formal system, and encourages recourse to the informal resolution of disputes;

21. *Welcomes* the promulgation of the revised terms of reference and guidelines for the Office of the United Nations Ombudsman and Mediation Services;[1]

[1] ST/SGB/2016/7

22. *Encourages* the Office of the United Nations Ombudsman and Mediation Services to intensify its outreach activities to encourage informal dispute resolution;

23. *Recalls* paragraph 36 of the report of the Advisory Committee, and stresses the continued importance of the informal part of the system of administration of justice in taking early action to prevent or limit cases of litigation, encouraging amicable resolution of disputes and fostering a more collaborative and harmonious culture;

24. *Recognizes* the efforts of the Office of the United Nations Ombudsman and Mediation Services in enhancing efforts aimed at the informal resolution of conflict, and requests the Secretary-General to provide more detailed information in his next report to the General Assembly on the impact of conflict-prevention training and on efforts to further enhance cooperation between the informal and formal parts of the system of administration of justice;

25. *Emphasizes* the importance of both staff and managers understanding and adopting conflict competency skills in order to prevent conflicts, cope with potential or actual conflicts and maintain resilience, and in this regard notes with appreciation the activities of the Office of the United Nations Ombudsman and Mediation Services to promote conflict competence at all levels of the Organization;

26. *Welcomes* the analysis of the root causes of conflict included in the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services, stresses the importance of improving management performance and staff communications, and urges the Secretary-General to address the systemic issues identified in the report in order to improve upon the Organization's policies and procedures;

27. *Recognizes* that access to the Office of the United Nations Ombudsman and Mediation Services is a challenge for staff in the field, including for those in special political missions, encourages the development of innovative measures to address those challenges, and requests the Secretary-General to report thereon to the General Assembly at the main part of its seventy-second session;

III
Formal system

28. *Recognizes* the ongoing positive contribution of the Office of Staff Legal Assistance to the system of administration of justice;

29. *Recalls* its decision, contained in paragraph 5 of its resolution 68/254, and reiterates that decisions taken by the Dispute Tribunal and the Appeals Tribunal shall conform with the provisions of General Assembly resolutions on issues related to human resources management;

30. *Also recalls* article 10.6 of the statute of the Dispute Tribunal and article 9.2 of the statute of the Appeals Tribunal, stresses the ability of the Tribunals to award costs against parties that manifestly abuse the proceedings, and encourages the Tribunals to proactively manage cases and/or to summarily dismiss cases under appropriate circumstances;

31. *Emphasizes* the importance of the publication of the judgements of the Dispute and Appeals Tribunals to make the reasoning behind the decisions well

known to the entire structure of the Organization, for improving managerial practices and determining the proper implementation of the Staff Regulations and Rules of the United Nations and for the predictability of the justice system, and encourages the exploration of better approaches when referring to personal data in the judgements of the Tribunals, with the aim of protecting the privacy of individuals who have no means to respond publicly;

32. *Recalls* paragraph 15 of the report of the Advisory Committee, and decides to extend the three ad litem judges and the current incumbent judge positions for one year, from 1 January to 31 December 2017;

33. *Requests* the Secretary-General to continue to track the data on the number of cases received by the Management Evaluation Unit and the Dispute Tribunal in order to identify any emerging trends and to include his observations on those statistics in future reports;

34. *Notes* the ongoing work of the interdepartmental working group to further explore the delegation of authority with regard to disciplinary matters, and looks forward to receiving updates in the context of the next report of the Secretary-General;

35. *Requests* the Secretary-General to continue to ensure the accountability of managers whose decisions have been established to be grossly negligent, according to the applicable Staff Regulations and Rules of the United Nations, and which have led to litigation and subsequent financial loss, and to report thereon to the General Assembly at its seventy-second session;

36. *Encourages* the Secretary-General to proactively engage in a process to review referrals for accountability as well as other potential options for accountability, with the aim of ensuring the enforcement of accountability, and to report thereon to the General Assembly at its seventy-second session;

37. *Notes* recommendations 26 and 38 of the Interim Independent Assessment Panel and the related observations of the Internal Justice Council, and in this regard reiterates the important role of the Management Evaluation Unit as a first step in the formal system of the administration of justice towards enhancing transparency in decision-making, providing opportunities for the Administration to correct contested administrative decisions where mistakes have been made, ensuring that managers continue to remain accountable for their administrative decisions and preventing unnecessary litigation, and requests the Secretary-General to report on the effectiveness of the Management Evaluation Unit to the General Assembly at its seventy-second session;

38. *Takes note* of the information provided regarding the voluntary supplemental funding mechanism for additional resources for the Office of Staff Legal Assistance, and decides to extend the experimental period for the mechanism for one year, from 1 January to 31 December 2017;

39. *Recalls* paragraph 7 of the report of the Advisory Committee, and requests the Secretary General to explore options to ensure the sustainability of the voluntary supplemental funding mechanism and to report thereon to the General Assembly at the main part of its seventy-second session;

40. *Acknowledges* the continued efforts made with respect to incentives for staff not to opt out of the voluntary supplemental funding mechanism, and in this

regard encourages the Secretary-General to strengthen such incentives, particularly in locations where the participation rate is low;

41. *Requests* the Secretary-General to continue to collect and examine data relating to staff contributions to the Office of Staff Legal Assistance and to report thereon to the General Assembly in his next report;

42. *Stresses* the need to continue to explore means to raise awareness among staff of the importance of financial contributions to the Office of Staff Legal Assistance;

43. *Approves* the Code of Conduct for Legal Representatives and Litigants in Person annexed to the present resolution;

44. *Also approves* the proposal of the Secretary-General to amend the statutes of the Dispute and Appeals Tribunals as follows:

(a) Statute of the Dispute Tribunal, article 4, amended paragraph 3 (a):

3 (a) Be of high moral character and impartial;

(b) Statute of the Dispute Tribunal, article 4, new paragraph 3 (c):

3 (c) Be fluent, both orally and in writing, in English or French.

(c) Statute of the Dispute Tribunal, article 4, amended paragraph 7:

7. The Dispute Tribunal shall elect a President who shall have the authority, inter alia, to monitor the timely delivery of judgements.

(d) Statute of the Appeals Tribunal, article 4, new paragraph 4:

4. The President shall have the authority, inter alia, to monitor the timely delivery of judgements.

IV
Other issues

45. *Stresses* that the Internal Justice Council can help to ensure independence, professionalism and accountability in the system of administration of justice, and requests the Secretary-General to entrust the Council with including the views of both the Dispute Tribunal and the Appeals Tribunal in its reports;

46. *Invites* the Sixth Committee to consider the legal aspects of the report to be submitted by the Secretary-General, without prejudice to the role of the Fifth Committee as the Main Committee entrusted with responsibilities for administrative and budgetary matters;

47. *Recalls* paragraph 4 of the report of the Advisory Committee, and decides to consider the issues related to resource requirements for improving the functioning of a transparent, professionalized, adequately resourced and decentralized system of administration of justice at the United Nations at its seventy-second session, and in this regard requests the Secretary-General to include updated information on the matter, taking into account the existing and potential challenges, including workload, funding arrangements and potential disputes arising from mandatory mobility, in the context of his next report on administration of justice.

Annex

Code of Conduct for Legal Representatives and Litigants in Person

Preamble

Whereas the General Assembly, in its resolution 69/203 of 18 December 2014, stressed the need to ensure that all individuals acting as legal representatives appearing before the United Nations Dispute Tribunal and the United Nations Appeals Tribunal are subject to the same standards of professional conduct, and requested the submission of a single code of conduct for all legal representatives, without prejudice to other lines of disciplinary authority,

Whereas appropriate standards should also be adopted for litigants in person,

The following provisions are adopted,

Article 1
Definitions

In the present Code, the following terms shall mean:

Code: the present Code of Conduct for Legal Representatives and Litigants in Person acting in proceedings before the United Nations Dispute Tribunal or the United Nations Appeals Tribunal, as approved by the General Assembly;

Legal representative: an individual who acts on behalf of a party in proceedings before the United Nations Dispute Tribunal or the United Nations Appeals Tribunal;

Litigant in person: an individual who represents himself or herself in proceedings before the United Nations Dispute Tribunal or the United Nations Appeals Tribunal;

Party: the applicant or the respondent in proceedings before the United Nations Dispute Tribunal or the appellant or the respondent in proceedings before the United Nations Appeals Tribunal;

Statutes: the statutes of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, as adopted by the General Assembly in its resolution 63/253, as amended;

Rules of procedure: the rules of procedure of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, as approved by the General Assembly in its resolution 64/119, as amended;

United Nations Dispute Tribunal: the Tribunal established by its statute as the first instance of the two-tier formal system of administration of justice at the United Nations;

United Nations Appeals Tribunal: the Tribunal established by its statute as the second instance of the two-tier formal system of administration of justice at the United Nations and as the final instance for those entities that have accepted its jurisdiction under article 2, paragraph 10, of its statute;

Tribunal(s): the United Nations Dispute Tribunal and United Nations Appeals Tribunal, individually or collectively.

Article 2
Purpose

The present Code describes the conduct expected of legal representatives and litigants in person in proceedings before the Tribunals in the interest of the fair and proper administration of justice.

Article 3
Acknowledgement

By acting in proceedings before the Tribunals, legal representatives and litigants in person acknowledge the provisions of the present Code.

Article 4
Basic standards

1. Legal representatives and litigants in person shall maintain the highest standards of integrity and shall at all times act honestly, candidly, fairly, courteously, in good faith and without regard to external pressures or extraneous considerations.

2. Legal representatives and litigants in person shall act diligently and efficiently and shall avoid unnecessary delay in the conduct of proceedings.

3. Legal representatives should encourage and facilitate dialogue between the parties with a view to settling disputes in appropriate cases.

4. Legal representatives shall maintain the highest standards of professionalism and shall act in the best interests of the party they represent, subject always to upholding the interests of justice and ethical standards.

Article 5
Conflict of interest

1. Legal representatives shall put the interests of the party they represent before their own interests and the interests of others, and shall not represent conflicting interests in proceedings.

2. Where a conflict of interest arises, legal representatives shall promptly:

(a) Disclose the conflict to the party they represent;

(b) Take all reasonable steps to mitigate the conflict; and

(c) Withdraw themselves as legal representatives if the conflict cannot be mitigated.

3. A party may waive a conflict of interest and consent to the legal representative continuing to act in proceedings.

Article 6
Confidentiality

1. Legal representatives and litigants in person shall maintain the confidentiality of the proceedings of the Tribunals in accordance with the provisions of the statutes and rules of procedure, or as otherwise ordered by the Tribunals.

2. Legal representatives and litigants in person shall respect the confidential character of any information imparted to them in confidence in the proceedings.

3. Legal representatives and litigants in person shall not disclose, except as appropriate in the normal course of the proceedings, any document which is inviolable in accordance with applicable legal instruments on privileges and immunities of the United Nations, its specialized agencies or other United Nations entities, unless such document is already public or by authorization of the Secretary-General or the appropriate official of the relevant entity before the Tribunal.

4. The obligations set forth in this article remain even after proceedings before the Tribunals have ended.

Article 7
Withdrawal of representation

1. Legal representatives may withdraw their representation of a party where they reasonably consider that good cause to do so exists.

2. In withdrawing representation, legal representatives shall take steps to the extent reasonably practicable to protect the party's interests.

3. Legal representatives shall promptly communicate such withdrawal in writing to the party they represent and the relevant Registry.

Article 8
Relations with the Tribunals

1. Legal representatives and litigants in person shall assist the Tribunals in maintaining the dignity and decorum of proceedings and avoiding disorder and disruption.

2. Legal representatives and litigants in person shall be diligent in complying with the statutes, rules of procedure, practice directions and orders, rulings or directions that may be issued by the Tribunals.

Article 9
Administration of the Code

The Tribunals may issue orders, rulings or directions in order to implement the provisions of the present Code.

United Nations A/C.5/71/L.14

General Assembly

Distr.: Limited
22 December 2016

Original: English

Seventy-first session
Fifth Committee
Agenda item 149
Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Draft resolution submitted by the Chair of the Committee following informal consultations

Review of the United Nations Office to the African Union

The General Assembly,

Recalling its resolution 70/287 of 17 June 2016,

Having considered the report of the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

1. *Takes note* of the report of the Secretary-General;[1]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution;

3. *Recognizes* the increasing complexities of the issues in the region, emphasizes the importance of enhancing partnership, collaboration and cooperation between the United Nations and the African Union, with a view to better addressing existing challenges, in accordance with the given mandates, and in this regard requests the Secretary-General to ensure that future budget submissions place sufficient emphasis on the substantive part of mandate delivery;

4. *Requests* the Secretary-General to take advantage of the co-location of the United Nations Office to the African Union and the Economic Commission for Africa, with a view to continuing to maximize efficiencies on common administrative support services, and to include relevant information in the context of future budget submissions;

[1] A/71/551.
[2] A/71/646.

Please recycle

5. *Notes* the comprehensive review of the Office carried out pursuant to its resolution 70/287, and in this regard approves the restructuring of the Office;

6. *Recalls* paragraphs 13 and 16 of the report of the Advisory Committee, and decides, under the support account for peacekeeping operations, with effect from 1 January 2017:

(a) To establish three new posts, comprising one Head of the Institutional and Operational Partnership Service (D-1), one Chief of Staff (D-1) and one National Professional Officer;

(b) To abolish five national General Service posts, comprising two Telecommunications Assistants, two General Service Assistants and one Medical Assistant/Nurse;

(c) To abolish two Field Service posts, comprising one Security Officer and one Telecommunications Technician;

(d) To retain one national General Service post of Facilities Management Assistant;

(e) To redeploy posts as proposed by the Secretary-General;

(f) To reassign posts as proposed by the Secretary-General;

7. *Also recalls* paragraph 16 of the report of the Advisory Committee, and approves the reassignment of the D-2 post (from Chief of Staff to Deputy Head of Office) approved under section 3, Political affairs, of the programme budget for the biennium 2016-2017.